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Security Council

Seventy-second year

Provisional

7885th meeting
Thursday, 16 February 2017, 10 a.m.
New York

President:	Mr. Yelchenko	(Ukraine)
Members:	Bolivia (Plurinational State of)	Mr. Arancibia Fernández
	China	Mr. Shen Bo
	Egypt	Mr. Aboulatta
	Ethiopia	Mr. Alemu
	France	Mr. Delattre
	Italy	Mr. Cardi
	Japan	Mr. Bessho
	Kazakhstan	Mr. Umarov
	Russian Federation	Mr. Safronkov
	Senegal	Mr. Seck
	Sweden	Mr. Skoog
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Mrs. Haley
	Uruguay	Mr. Rosselli

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General; to participate in this meeting.

Mr. Mladenov is joining today's meeting via video-teleconference from Jerusalem.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: On the night of 8 February, the Islamic State in Iraq and the Sham and its affiliates in the Sinai launched a series of rockets towards the Israeli coastal resort of Eilat. Thankfully, no one was injured or killed. I begin today's briefing by unequivocally condemning this act, as well as those who inspired, implemented and celebrated it. I recall this incident because it is a chilling reminder of the need for States to work together and stand firm against terror.

The Middle East continues to be plagued by extremism, bloodshed and displacement, which feed intolerance, violence and religious radicalism far beyond the region. The Israeli-Palestinian conflict, sadly, is not immune to these sweeping regional threats. Although leaders on both sides agree on the need to continue Israeli-Palestinian security coordination, there is increasing anger in the street, and radical views are hijacking the discourse as moderate voices are increasingly vilified and cast aside.

It is critical that we all understand that we must never allow the Israeli-Palestinian conflict to drift into the abyss of the extremism and radicalism sweeping the region. Palestinians, Israelis and the international community have a duty to act responsibly, avoid escalating tensions, refrain from unilateral actions and work together to uphold peace. Today, however, unilateral actions are returning the parties to a high-stakes collision course.

On 6 February, the Israeli Parliament adopted the so-called Regularization Law, which enables the use of privately owned Palestinian land for Israeli settlements in the occupied West Bank without the owners' consent. The law has the potential to retroactively "regularize" — under Israeli law — thousands of existing settlement units built on land owned by Palestinian individuals living under occupation, as well as dozens of illegal outposts. Its passage marks a significant shift in Israel's position concerning the legal status of the West Bank and the applicability of Israeli law therein. It contravenes international law and, according to the Israeli Attorney General, it is also unconstitutional. It is expected that the Supreme Court of Israel will rule on its constitutionality soon. If the law stays in place, it will have far-reaching consequences for Israel, while seriously undermining prospects for the two-State solution and for Arab-Israeli peace.

This period also saw Government statements announcing significant settlement expansion, which were quickly followed by action. Within a three-week period, the Israeli authorities promoted some 4,000 housing units in Area C, including tenders for around 800 units, the advancement of around 3,000 units and the approval of plans for an additional 230 units. These numbers are all the more worrying if compared to the whole of 2016, when 42 units were tendered and some 3,000 were advanced in Area C. Settlements were also advanced in East Jerusalem during the reporting period, with the issuance of building permits for over 900 units.

Settlement activities are illegal under international law and, as stated by the Middle East Quartet, they are one of the main obstacles to peace. All core issues should be resolved between the parties through direct negotiations on the basis of relevant Security Council resolutions and mutual agreements.

I continue to be concerned by the daily violence. So-called lone wolf attacks against Israeli civilians, though greatly reduced as compared to 2016, continue. On 9 February, in the market of Petah Tikva in central Israel, an 18-year-old Palestinian from Nablus shot and stabbed six Israelis, who were injured in the attack. In the West Bank, three Palestinians were shot and killed by Israeli security forces in recent weeks, two allegedly attempting attacks on Israeli soldiers, while a teenager was killed during clashes with Israeli security forces. I once again call for the calibrated use of force and stress that live fire should be used only as a last resort, in

situations of imminent threat of death or serious injury, and that any resulting death or injury should be properly investigated by the authorities.

The trend of demolishing Palestinian-owned structures continues. Some 57 structures have been torn down, displacing 108 people. Last year saw over 1,000 demolitions, the largest annual number of demolitions on record and nearly double the figure for 2015. I once again urge Israel to cease this destructive practice.

I welcome the Palestinian decision to hold the postponed local elections on 13 May. However, I also take note with regret of Hamas' rejection of that decision. Let me urge all factions to work together in good faith to uphold democracy and to overcome the internal divisions that are undermining Palestinian national institutions and the legitimate aspiration to statehood. Local elections, if held simultaneously in both Gaza and the West Bank, and conducted in line with international standards, could contribute to advancing reconciliation. Gaza and the West Bank should be reunited under a single, legitimate and democratic Palestinian Authority on the basis of the Palestine Liberation Organization principles and the rule of law, in accordance with existing agreements.

In Gaza, we have consistently warned that the situation is not sustainable and that another escalation is likely unless the pressing needs of the population are more systematically addressed. I also note that Hamas in Gaza has elected a new leadership. It is for that leadership to ensure that Gaza remains calm and avoid the risk of spiraling into another conflict. Rocket attacks, tunnel construction and smuggling only heighten that risk. After over three months of relative calm, the launching of a rocket from Gaza towards Israel on 5 February — which landed without injury — reminded us all of the risk of further destabilizing an already combustible environment. In that environment, all sides should exercise maximum restraint.

The volatile situation in Gaza continues to be exacerbated by the persistence of a major humanitarian and development crisis, related in large part to the crippling closures of the Strip and the continuing political divide. This winter has borne witness to a serious electricity crisis, which in December left Palestinians in Gaza with only two hours of electricity per day. Tens of thousands of people came out in the streets in mass protests; many, including journalists, were detained. The crisis was temporarily resolved with a generous contribution of $12 million from the State of Qatar. As we speak, the United Nations is working actively with the Palestinian Authority, all stakeholders and key donors on a road map to ensure that Gaza's massive electricity problems are addressed in a sustainable manner.

Turning briefly to Lebanon, I note that the reactivation of State institutions has continued. The President and Prime Minister have expressed their confidence that an electoral law will be agreed with the aim of holding timely elections. On 11 February, in an interview, President Aoun stated "the need to maintain Hizbullah's weapons". The United Nations Special Coordinator for Lebanon is in discussion with authorities on their continued commitment to relevant Security Council resolutions, in particular resolutions 1701 (2006) and 1559 (2004), which clearly call for the disbanding and disarmament of all non-State armed groups.

Relative calm continued in the the United Nations Interim Force in Lebanon (UNIFIL) area of operations and along the Blue Line, with the exception of some ground and air violations. On 19 January, UNIFIL deployed on both sides of the Blue Line to mitigate tensions, including weapons pointing-between the Israel Defense Forces (IDF) and the Lebanese Armed Forces in the context of the placement of a soil barrier near El Adeisse by Lebanese municipal workers, in violation of the Blue Line.

Meanwhile, in the United Nations Disengagement Observer Force (UNDOF) area of operations, the ceasefire between Israel and the Syrian Arab Republic is holding, albeit in a volatile security environment on the Bravo side. On 8 February, the IDF carried out a strike on the Syrian side of the Golan in response to a spillover fire incident involving a tank shell that landed in an open area in Israeli-occupied Golan. Spillover from Syria continues to heighten the risk of further escalation between the two sides. Both sides, however, have stated their continued commitment to the Disengagement of Forces Agreement. Conditions permitting, the full return of UNDOF to the area of separation remains a priority.

Returning to the Palestinian-Israeli conflict, recent developments should be of concern to all of us. Some may hold the illusion that the conflict can be managed indefinitely and that the absence of a clear strategy to advance peace is a strategy in itself. The Middle East

Quartet report and Security Council resolutions have clearly outlined what is needed to advance a sustainable and just peace. The two-State solution remains the only way to achieve the legitimate national aspirations of both peoples. Israel can take the necessary steps to stop settlement expansion and construction in order to preserve that prospect, while the Palestinian leadership can demonstrate its commitment to tackling the challenges of violence and incitement on its side. That would create an environment that would facilitate bilateral final status negotiations that the international community can support.

As Palestinians and Israelis face another period of uncertainty and concern for what lies ahead. I urge leaders on both sides to carefully contemplate the future they envision for their people. Will it be a future built on perpetual conflict, rising extremism and occupation? Or will it be a future built on mutual respect and an appreciation for the unimaginable wealth of opportunities that would come with peace? The answer seems obvious but, as history has painfully demonstrated, the path to peace is riddled with hazards. The United Nations remains resolute in its commitment to helping Palestinians and Israelis strive to overcome these challenges.

The President: I thank Mr. Mladenov for his statement.

I now give the floor to those Council members that wish to make statements.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I thank the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, for his briefing, and I reiterate once again the total support of Uruguay for his management.

Uruguay, as a firm promoter of peace, reaffirms, as it has since 1947, its unwavering support for the right of Israel and Palestine to coexist peacefully within secure and recognized frontiers, in an environment of renewed cooperation and free of any threat or act that may breach the peace. To that end, it is absolutely necessary for the Israeli and Palestinian authorities to comply in good faith with their obligations under international law and with the resolutions of the Council, send clear political signs of their intention to break the vicious circle of violent disagreement and conflict, and refrain from adopting unilateral decisions that undermine dialogue. Nevertheless, we are far from witnessing any such signals. We therefore urge the parties to carefully consider the next steps to be taken and to avert a situation in which the most radical sectors of their respective Governments would prevail over those that are truly committed to peace.

General Assembly resolution 181 (II), which established the partition of Palestine and thereby created an Arab and a Jewish State, must remain the focus of our actions. Uruguay voted in favour of that resolution in the conviction that the decision would allow for the establishment of two States, Israel and Palestine, living in peace and within secure borders. Uruguay's position remains exactly the same as it was seven decades ago.

However, over these past 70 years, while Israel has strengthened itself as a full and modern State, Palestine continues to face serious difficulties in terms of its development, its integration into the international community and the consolidation of its territory, which has led to grave consequences for its population and increased tensions throughout the region.

Uruguay, together with virtually all of the international community, strongly supports the two-State solution, which, and allow me to be very clear here, remains the only possible solution, as affirmed yesterday by Secretary-General António Guterres, so that Israel and Palestine can live in peace and security.

It is not possible to dissociate these two ideas: there can be no just and lasting peace without a two-State solution, and the two-State solution will never become reality unless the parties create conditions conducive to reaching a peaceful, negotiated outcome that is mutually satisfactory and puts an end to all pending issues in the context of this lengthy conflict. We urge the parties to resume direct bilateral negotiations as soon as possible, without preconditions, as an essential step towards achieving that goal. But in order to achieve that objective, current trends on the ground must be reversed, failing which it will be very difficult for Palestine to strengthen its State.

The adoption of resolution 2334 (2016), in December, and the peace conference organized by France in January were two clear signs of the urgency that the international community feels with respect to the need to reach a peaceful and successful conclusion to this long delayed process. However, since the most recent open debate on the Middle East, just one month ago (see S/PV.7863), the news has frankly not been very encouraging.

The announcement by Israel that it will build thousands of new settlements in the West Bank and East Jerusalem, as well as the retroactive legalization of settlements built on private Palestinian land, violate the provisions of resolution 2334 (2016) and resolution 242 (1967), which affirms the inadmissibility of the acquisition of territory by force. These measures do not help in any way to move towards peace, and they jeopardize the possibility of achieving a two-State solution.

We reiterate once again our strong condemnation of the cowardly terrorist attacks that continue to occur in the area. We deplore the fact that the Security Council has not been able to make its views known on the attack carried out in Petah Tivka on 9 February. Uruguay repudiates those acts and rejects any incitement to or glorification of violence. We reiterate that in this regard there is no room for tacit complicity.

Finally, we reiterate to the key actors in this process that moderation is vital in order to avoid any statements that could seriously undermine the future of the peace talks and the two-State solution.

Mr. Arancibia Fernández (Plurinational State of Bolivia) (*spoke in Spanish*): We are grateful for the briefing by the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, who updated us on the situation in the Middle East, particularly with reference to the situation involving illegal Israeli settlements on Palestinian territory.

Bolivia has occupied a seat on the Security Council for more than a month now and has witnessed the ongoing violations of international humanitarian law and human rights that the Israeli Government is committing on a regular and continuing basis. On 22 January, we learned that the Israeli municipality of Jerusalem authorized the construction of 566 units in East Jerusalem, a Palestinian-majority neighbourhood of the city, occupied and annexed by Israel. Subsequently, on 24 January, the Israeli Government approved a plan to build 2,500 housing units in settlement blocs in the West Bank.

On 7 February, through a letter contained in document S/2017/115, the Permanent Observer of the State of Palestine to the United Nations condemned the approval by the Israeli Parliament of the so-called regularization bill, which would allow the occupying Power to legalize more than 5,500 settlements in the occupied Palestinian territory. The so-called regularization bill, according to an article published by *The New York Times* on 6 February, is a bill through which the State of Israel retroactively regularizes Jewish settlements in Palestinian territory, including those located in the West Bank and East Jerusalem. The bill retroactively legalizes thousands of settlements in 16 neighbourhoods covering 2,000 hectares of land belonging to the Palestinians.

The Plurinational State of Bolivia believes that the approval of this regularization bill by the Israeli Government is an act of provocation to the international community and constitutes a blatant violation of resolution 2334 (2016), of 23 December 2016. It is vital to recall that the aforementioned resolution was approved by the majority of the members of the Security Council, there having been only one abstention and no vote against. The resolution reiterates the inadmissibility of the acquisition of territory by force and of all measures aimed at altering the demographic composition, character or status of the Palestinian territories occupied since 1967.

Moreover, it calls on the parties to refrain from any provocative actions, incitement or inflammatory rhetoric, with the aim of de-escalating the situation on the ground, rebuilding trust and creating the conditions necessary for promoting peace.

I should like also to remind the Security Council that inaction on our part in the face of Israel's expansionist zeal would signify an acceptance of Israel's transfer of its civilian population onto Palestinian land, which represents a blatant violation of the fourth Geneva Convention of 1949 relative to the Protection of Civilians in Time of War, which is applicable to the occupied Palestinian territory, including East Jerusalem, and in line with the provisions of General Assembly resolution 70/89, of December 2015, and other relevant resolutions. It would also mean repudiating the fact that the Israeli settlements in the occupied Palestinian territory, including East Jerusalem, were established in contravention of international law, as the International Court of Justice has concluded.

Israel's decisions and activities with respect to the settlements will have detrimental effects on regional and international peace initiatives and reduce the likelihood of a two-State solution. On a previous occasion in this same Chamber (see S/PV.7863), we strongly expressed our repudiation of the fact that the Government of Israel disregards the international community and refuses to

guarantee the implementation of each and every one of the resolutions that emanate from this organ of the United Nations and especially resolution 2334 (2016).

In the same way, it is important to remember that some members of the Council, on several occasions and in different thematic contexts, have reiterated that the decisions of the Council must be implemented and that it is Council's responsibility to see to it that they are. In this regard, we urge the entire membership of the Security Council to assume the responsibility assigned to us by the Charter of the United Nations to enforce resolutions effectively and without delay, demonstrating that the decisions of this organ of the United Nations are a priority that frames our daily work in favour of peace and security in the world.

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.30 a.m.